UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/666,910	09/21/2000	Anna Maria Zara	10002185-1	7529

7590	10/28/2004

Hewlett Packard Company
Intellectual Property Administration
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EXAMINER
BORISSOV, IGOR N

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *16 July 2004*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-19* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-19* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some *   c) ☐ None of:

         1. ☐ Certified copies of the priority documents have been received.

         2. ☐ Certified copies of the priority documents have been received in Application No. _____.

         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Amendment received on 7/16/2004 is acknowledged and entered. Claims 1-19 are currently pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hummel, Jr. et al. (US 6,584,454) in view of Cherkasova et al. (US 6,154,769).

Hammel, Jr. et al. (Hereinafter Hammel) teaches a method and apparatus for delivery of protected software applications to remote systems, comprising:

As per claims 1, 9, 14, 16 and 18-19, providing business rules for determination of possibility to access the protected software applications based on the level of security clearance (column 8, lines 35-51); generating an authenticity tag indicating the level of security clearance (column 11, lines 9-17); sending the authenticity tag to a requesting client that issued the request such that the authenticity tag is attached to subsequent external requests to the data service system for the same transaction (column 11, lines 28-39); determining possibility to access the protected software applications based on the security clearance information contained in the authenticity tag of each of the subsequent external requests (column 11, lines 28-39).

Hammel does not specifically teach that determination of the possibility to access the protected software applications includes classifying the requests to access; and that

the determining the possibility to access includes scheduling requests based on said classification information.

Cherkasova et al. (Hereinafter Cherkasova) teaches a method and system for scheduling server requests, wherein scheduling serving of the external requests is based on the classification information specifying a class for the request, said classification information being included into the external request (column 2, lines 16-23, 64-65).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hammel to include that scheduling serving of the external requests is based on the classification information specifying a class for the request, as disclosed in Cherkasova, because it would advantageously allow to determine a priority value for the received request, and to effectively use the system resources, as specifically taught by Cherkasova (column 1, lines 45-69).

Claim 2. Hammel teaches said method and apparatus wherein said authenticity tag information causes the business rule engine to analyze the possibility to access such that subsequent requests that are part of the same transaction do not need to be analyzed again (column 11, lines 9-39).

Claims 3 and 11. Hammel teaches said method and apparatus wherein the authenticity tag information causes the business rule engine to re-apply the business rules to responses for the subsequent requests to determine if determination is needed for the subsequent requests (column 11, lines 9-39).

Claims 4, 12 and 17. Hammel teaches said method and apparatus wherein the authenticity tag is updated if the authenticity tag generator determines that reclassification is needed (column 11, lines 9-39).

Claims 5 and 13. Hammel teaches said method and apparatus wherein the server system attaches the authenticity tag into the response by placing the tag in the body of the response message (column 11, lines 9-39).

Claims 6 and 10. Hammel teaches said method and apparatus wherein the step of scheduling requests further comprises parsing each of the requests to determine if the request is for an existing transaction or for a new transaction; and if the request is

for a new transaction, assigning a new authenticity tag to the request (column 11, lines 9-17).

Claim 7. Hammel teaches said method and apparatus wherein the server system is a TCP/IP-based server application system (column 6, lines 3-10).

Claim 8. Hammel teaches said method and apparatus wherein the server system a web server system (column 7, lines 48-49).

Claim 15. Hammel teaches said method and apparatus wherein the application system is connected to the server system via a gateway interface or via a plug-in application (column 7, lines 48-56).

Response to Arguments

Applicant's arguments filed 7/16/2004 have been fully considered but they are not persuasive.

In response to applicant argument that the prior art does not teach: *generating a classification tag for a particular transaction based on the analysis of its associated transaction response by the business rule engine; and attaching said tag to its respective transaction response before it returned to the requestor to be subsequently attached by said requestor to any succeeding requests*, it is noted that Hummel teaches generating an authenticity tag indicating the level of security clearance based on the results of determination of the accessibility to the resources made by business rules engine (C. 11, L. 9-17; C. 8, L. 35-51); and sending the authenticity tag to a requesting client that issued the request so that the authenticity tag is attached to subsequent external requests to the data service system, thereby enabling the determination of the accessibility to the resources by the business rules engine during said subsequent external requests based on the information contained in said attached authenticity tag (C. 11, L. 28-39).

Cherkasova was applied to show scheduling serving of the external requests based on the classification information specifying a class for the request, wherein said

classification information is included into the external request (column 2, lines 16-23, 64-65).

Hammel would benefit from scheduling serving of the external requests based on the classification information specifying a class for the request, disclosed by Cherkasova, by allowing to determine a priority value for the received request, thereby providing the effective use of the system resources.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308-2702.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
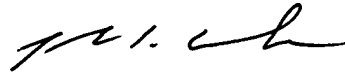
Washington D.C. 20231

or faxed to:

(703) 872-9306   [Official communications; including After Final

communications labeled "Box AF"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal

Drive, Arlington, VA, 7th floor receptionist.

IB

10/19/2004

JOHN G. WEISS
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